

Docket No. GJE-13XC1D1C1
Serial No. 09/767,355

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : Keith D. Hendricks
Art Unit : 1761
Applicant : Stephen Philip Mann
Serial No. : 09/767,355
Filed : January 23, 2001
Conf. No. : 3294
For : Microorganisms and Their Use in Animal Feed

OFFICIAL
8/27/03
KAT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

TERMINAL DISCLAIMER

Sir:

The owner, Biotol Ltd., of 100% interest in the above-identified patent application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as shortened by any terminal disclaimer, of prior Patent No. 6,326,037. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination

J:\GJE\13XC1D1C1\Terminal Disclaimer.doc\DN\3\sl

2

Docket No. GJE-13XC1D1C1

Serial No. 09/767,355

certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer.

☒ I am the attorney of record.

☒ I authorize the Patent Office to charge the amount of ☐ \$55.00 (small entity)
☒ \$110.00 (large entity) for the terminal disclaimer fee under 37 CFR 1.20(d) to Deposit
Account No. 19-0065.

August 27, 2003
Date

Frank C. Eisenschenk
Frank C. Eisenschenk, Ph.D.
Patent Attorney
Reg. No. 45,332
Phone No.: 352-375-8100
Fax No.: 352-372-5800
Address: 2421 N.W. 41st Street, Suite A-1
Gainesville, FL 32606-6669

FCE/sl

J:\GJE\13XC1D1C1\Terminal Disclaimer.doc/DNB/sl